

THE CHANCELLOR:

This case is now brought before the court upon the motion to dissolve the injunction granted on the 13th Jan'y last; and is submitted upon the written argument of the solicitors of the parties.

Two of the plaintiffs, Winn and Ross, are before the court in the double capacity of grantees under the deed of the 26th October, 1846, and as permanent trustees of Samuel Jones, junior, who petitioned for the benefit of the insolvent laws on the 11th of January in the year 1847, and whose appointment and qualification as such trustees is dated on the 2d of February, 1847. Upon their petition to file a supplemental bill, presenting their claim to relief in the capacity of insolvent trustees, the court was called upon to examine the question of the compatibility of the title thus presented, with that in which they had previously appeared; and upon a careful consideration of the subject, it was thought that no such conflict or inconsistency existed between the two titles, as to preclude the blending of them in the same proceeding; and hence, on the 30th of April last, an order passed, granting permission to file a supplemental bill, which was filed accordingly.

The object of these bills, original and supplemental, is to restrain proceedings upon, and to vacate as fraudulent and void, a decree obtained on the equity side of Baltimore County Court, by William J. Albert and wife, against Samuel Jones, junior, on the 31st of October, 1846; that decree being charged as a contrivance to give those parties an undue and improper preference over the other creditors of Jones, and made with a view and under an expectation of being or becoming an insolvent debtor.

The history of this case may be stated briefly, in order to explain the grounds upon which the order about to be passed is founded.

On the 14th of September, 1846, these complainants, with one exception, filed their bill in this court, against Samuel Jones, junior, Albert and wife, and Michael Norman, praying, upon the grounds stated in the bill, for an injunction to restrain the said Jones from giving, and the other parties from receiving,